

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY M. NORTINGTON,

Plaintiff,

Case No. 1:10-cv-424

v.

HON. JANET T. NEFF

JIM ARMSTRONG, et al.,

Defendants.

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ORDER APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed December 26, 2012 by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Dkt 517) is APPROVED and ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant Barclay's Motion to Dismiss Complaint (Dkt 443) is **DENIED** for the reasons stated in the Report and Recommendation.

Dated: January 24, 2013

/s/Janet T. Neff

JANET T. NEFF

United States District Judge